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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/296,662	04/22/1999	ANTHONY ROSEN	20221Y	8707

210 7590 03/10/2003

MERCK AND CO INC  
P O BOX 2000  
RAHWAY, NJ 070650907

EXAMINER

NOLAN, PATRICK J

ART UNIT	PAPER NUMBER
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1644

DATE MAILED: 03/10/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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09/296,662

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

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DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

The communication filed on **12-27-02** is not fully responsive to the communication mailed 1-25-02 for the reason(s) set forth below.

Applicant is requested to consider each and every Examiner concern so that in response to Applicant's next submission a substantial action on the merits can be performed by the Examiner.

1. When Applicant submitted an entire new substitute specification, there was no statement from Applicant assuring the new specification adds no new matter.

2. Applicant did not add SEQ ID NOS to Table 2 in the new submitted specification where appropriate.

3. Applicant did not submit a page which corresponds to old specification page 63. There was no newly submitted Table 3 with SEQ ID NOS in the clean specification.

4. Applicant removed reference to the provisional application on the first page of the specification. Is it Applicant's intent to amend the filing date of the instant claims to 4-22-1999?

5. It is noted the amendment submitted 12-27-02 has been entered.

Since the response appears to be **bona fide**, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner **Patrick J. Nolan**, Art Unit **1644**, whose telephone number is **703-305-1987**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

*Patrick J. Nolan*  
PATRICK J. NOLAN, PH.D.  
PRIMARY EXAMINER

3/9/03

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. Other: See Bonafide Letter

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".  
*IF NEEDED*
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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